

2005 SESSION UPDATE AND ISSUES SURVEY



Senator

Luke Esser

48th District

Survey Enclosed

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- Judiciary
- Transportation
- Rules

Dear Friends and Neighbors,

The 2005 legislative session is well underway in Olympia. The first three days of session were dominated by the controversy and debate over the governor's election results. Since then, our legislative activities have returned to normal and we are focused on the important issues facing our state.

This year, the roughly \$2 billion budget shortfall is the top issue confronting the Legislature. However, two years ago the Legislature used a bipartisan approach to fix a \$2.8 billion budget gap without raising taxes or making cuts hurting vulnerable citizens.

Since the state will be collecting at least \$1.5 billion more in taxes in the upcoming 2005-07 budget than in the current 2003-05 budget, my goal is to once again adopt a no-new-taxes budget. Any tax increase now would hurt our economy, and would be counterproductive in the long run.

As a graduate of our local public schools, I feel an obligation to make sure that current students have the tools they need to be successful. We need to maintain our commitment to high standards and provide funding options that preserve local control.

Given the number of errors that occurred in the 2004 elections, reforming our voting system to make certain that only eligible voters vote (no dead people, felons, non-citizens or non-registered voters) and that every legitimate vote counts is a priority of mine.

As a member of the Senate Transportation Committee, I'll work hard to protect a state law authorizing a ballot measure to provide funding for important local highways projects like expanding I-405 and replacing the Evergreen Point Bridge.

Inside this mailing is a survey covering issues before the Legislature this year. Please take a few minutes to fill out the survey, then place a stamp on the back panel and mail the survey to my Olympia office. I appreciate learning your views on the issues.

Please don't hesitate to contact me if you ever have any questions or comments about your state government. It continues to be a great privilege and honor to serve you in the Senate.

Sincerely,

Luke Esser

**Legislative Town
Hall Meetings**

Saturday, March 19!

On Saturday, March 19, I will hold a pair of town hall meetings in our district. During these public gatherings, I'll discuss the key issues of the legislative session so far and what remains to be done. These meetings will allow you and others to ask questions and offer ideas and comments about the issues before the Legislature. If you want to bring your completed survey to one of the town hall meetings, my staff and I will be happy to receive it. Here are the times and locations of my town hall meetings:

10 a.m. - Noon

BEST High School, The Commons

10903 NE 53rd St. • Kirkland

(State Attorney General Rob McKenna will join me)

2 p.m. - 4 p.m.

Bellevue Family YMCA, Multi-purpose Room

14230 Bel-Red Road • Bellevue

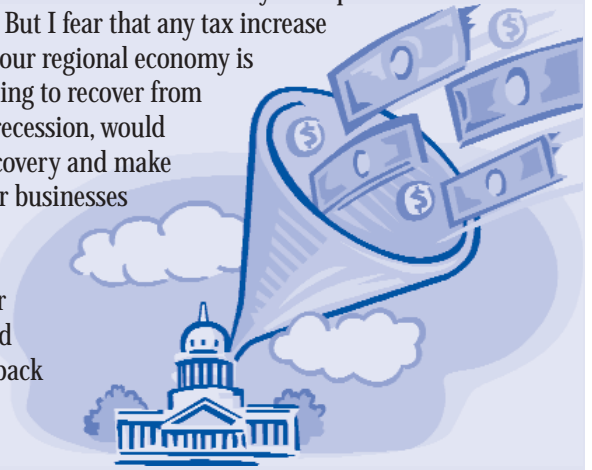
(Congressman Dave Reichert will join me)

Adopting a No-New-Taxes Budget

Two years ago, the Legislature used a bipartisan approach to fix a \$2.8 billion budget shortfall without raising taxes or making cuts that hurt vulnerable citizens. This year, we face a budget gap in the neighborhood of \$2 billion, which is certainly another challenging situation. But if legislators maintain that bipartisan approach used in 2003, I am confident that we can achieve another balanced budget that protects valuable services without raising taxes.

First of all, it's important to remember that the state will be collecting about \$1.5 billion more in taxes in the upcoming 2005-07 budget than we did in the 2003-05 budget. Second, we need to again utilize the Priorities of Government process, first proposed by former Gov. Locke in 2003, to identify which state services are the most essential and make sure we protect them.

Some in Olympia are suggesting that the budget gap is so large that tax increases are necessary to help balance the budget. But I fear that any tax increase now, when our regional economy is just beginning to recover from the recent recession, would stall the recovery and make it harder for businesses to hire new employees and put our unemployed neighbors back to work.



Reforming our State's Election System



Faith in our voting process has been shaken by the widespread problems discovered in the aftermath of the 2004 governor's race.

Fortunately, the dispute over the rightful winner of the governor's race is now in the hands of the courts, where it belongs.

The proper role of the Legislature is to thoroughly review our election process, and then to adopt reforms that will prevent fraudulent votes from being counted in the future.

With every election proposal brought forward, I ask the same questions: What will it do to prevent dead people from voting, felons from voting, unregistered voters from voting, non-citizens from voting, anyone from voting twice, and guarantee that the votes of those serving in the armed forces overseas will be counted?

Below are several of the bills that I believe would help to restore confidence in our elections system:

- Senate Joint Resolution 8215 would clarify that election challenges belong in our courts, and should not be the subject of partisan wrangling in the state Legislature.
- Senate Bill 5078 would require everyone to re-register to vote to clean up our state's voter rolls.
- Senate Bill 5400 would require voters to show proof of registration and photo ID when voting at the polls.

We also must stop elections officials from marking ballots after

Election Day based upon their determination of "voter intent" (a process called "enhancing a ballot"). I believe this process is so fraught with danger that it should be abolished.

Reducing Congestion on Local Highways

As a member of the Senate Transportation Committee, I'm eager to continue the momentum started two years ago to reform Washington's transportation system so it completes projects in a cost-effective, efficient manner. The Legislature enacted many needed reforms in the past two years, but further reforms in governance would make our transportation system even more accountable, efficient and effective.

I'll work hard to protect a 2002 state law that authorizes a ballot measure to fund local highway projects, including the expansion of I-405 and the replacement of the Evergreen Point Floating Bridge — projects which I consider to be priorities of the highest order. Several groups want to change this law to take funding that could be used for highway improvement and replacement projects on the Eastside and divert it to Sound Transit light rail in Seattle. I am adamantly opposed to this idea.



Justice for Victims of Crime

As a former Special Deputy Prosecuting Attorney for King County, I am very interested in finding ways to improve Washington's criminal justice system. Being a member of the Senate Judiciary Committee allows me to work on bills that will protect public safety and put more justice into the criminal justice system. Here are some of the bills that I am supporting:

- Senate Bill 5457 would increase the penalty for failure to secure a vehicle load with criminal negligence. This bill is in response to an incident on I-405 in 2004 when a piece of particle-board that was not secured fell off a trailer and smashed through the windshield of Maria Federici's jeep. Maria was hurt so badly that doctors thought she wouldn't live, and she is permanently blinded because of the incident.

The man who caused her injuries, and who tried to escape all culpability for his actions, received only a \$194 traffic ticket. I don't consider that adequate punishment for his offense, which is why I support increasing the offense of failure to secure a load which results in a person being injured to the level of a gross misdemeanor, which would allow a judge to impose some jail time and a fine of up to \$5,000.

One year to the day after the tragic incident, Maria and King County Prosecutor Norm Maleng were present as Maria's mother testified in support of the legislation before the Senate Judiciary Committee. Maria's courage in dealing with her rehabilitation should inspire all of us, and it has inspired me to advocate for Senate Bill 5457. I am happy to report that the bill has received strong bipartisan support so far.

Being a member of the Senate Judiciary Committee allows Senator Esser to work on bills that will protect public safety and put more justice into the criminal justice system.

- Under current state law a criminal has to be convicted of stealing a car seven times before they receive an automatic prison sentence. As in past years, I'm supporting legislation to increase penalties for repeat auto thieves. I believe we need to send a message that car theft is not a career path that we will tolerate in our state.

- Senate Bill 5352 expands the definition of first-degree animal cruelty. Under the proposal, a person would be guilty of first-degree animal cruelty when he or she starves, dehydrates or suffocates an animal with criminal negligence and the animal suffers unnecessary or unjustifiable physical pain or death. I consider this crime such a serious offense that it deserves to be categorized as a Class C felony (right now it is only a misdemeanor). Last year seven dead cats and one dead dog were discovered dehydrated and starved at a condominium in Bellevue. We need to do more to deter such senseless and preventable acts of animal cruelty.



Education

Maintaining High Standards and Local Control

I remain committed to annual testing of students and to high academic standards that prepare future graduates to be successful in college, in careers and in life. Test scores from the WASL and other tests provide valuable information for teachers, administrators, students and parents. We owe it to our region and to our students to maintain high standards and high expectations.

A particular need in the next state budget is to fully fund the costs borne by local school districts in transporting students to and from school, and in providing special education. School administrators have presented convincing evidence that state funding for those two areas has been inadequate, and the Legislature needs to fix that problem.

Our statewide salary scale creates problems for schools in



areas, like ours, where the cost of living is above average. I remain a supporter of the concept of allowing local school districts to present an additional levy to their voters that would provide funding to help schools recruit and retain teachers.

48th District 2005 Session Survey

To complete your survey follow these instructions:

Shade entire circle like this: ●

Not like this: ⊗

Mailing: Detach this survey along dotted line. Fold to expose return address panel, affix 37¢ stamp and mail.

YOUR PRIORITIES

1. Which of the following issues do you think are most important for the Legislature to address during the 2005 session? (Please rank according to importance to you, with "1" being the most important, "2" being the next important, and so on.)

VOTER 1							
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VOTER 2							
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- a. Crime and drugs
- b. Economy and jobs
- c. Education (public schools)
- d. Election reform
- e. Health care
- f. Higher education (colleges & universities)
- g. Taxes and spending
- h. Transportation

BUDGET AND TAXES

2. Based on current forecasts, the state is looking at roughly a \$2 billion shortfall in the 2005-07 operating budget. This projection assumes the state continues all current services, conducts business in the same way, refuses to contract out any services, provides pay raises negotiated for state employees and funds spending on state initiatives that did not include funding sources. How would you suggest we approach this budget shortfall?

VOTER 1 VOTER 2

- | | |
|-----------------------|---|
| <input type="radio"/> | <input type="radio"/> . a. The budget gap is so large that a tax increase must be part of the solution |
| <input type="radio"/> | <input type="radio"/> . b. Prioritize spending, maximize efficiencies and then consider a tax increase as a last resort |
| <input type="radio"/> | <input type="radio"/> . c. Don't raise taxes, under any circumstances |

3. If you do favor raising taxes to help balance the state operating budget, which taxes would you raise?

VOTER 1 VOTER 2

- | | |
|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. Business gross receipts taxes |
| <input type="radio"/> | <input type="radio"/> . b. Death tax (Estate tax) |
| <input type="radio"/> | <input type="radio"/> . c. Income taxes |
| <input type="radio"/> | <input type="radio"/> . d. Property taxes |
| <input type="radio"/> | <input type="radio"/> . e. Sales taxes |
| <input type="radio"/> | <input type="radio"/> . f. Tax on beer, wine and spirits |
| <input type="radio"/> | <input type="radio"/> . g. Tax on health care services |
| <input type="radio"/> | <input type="radio"/> . h. None |

4. In 2003, the Legislature used the Priorities of Government (POG) approach to address a \$2.8 billion shortfall without raising taxes. The POG process ranked programs and services based on importance. This resulted in a state budget that lived within the state's means and delivered services based on priorities without using a tax increase. Should the Legislature continue to use the POG approach in crafting the 2005-07 budget and future budgets?

VOTER 1 VOTER 2

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|-----------------------|--------------------------------|
| <input type="radio"/> | <input type="radio"/> . a. Yes |
| <input type="radio"/> | <input type="radio"/> . b. No |

ELECTIONS

5. The governor's race in 2004 brought a lot of attention to our election process. Do you believe our election process counts every vote and that only legitimate voters vote?

VOTER 1 VOTER 2

- | | |
|-----------------------|--------------------------------|
| <input type="radio"/> | <input type="radio"/> . a. Yes |
| <input type="radio"/> | <input type="radio"/> . b. No |

EDUCATION

6. Because they involve property taxes, school levies currently require a 60 percent "supermajority" vote to be approved. Do you favor changing the state constitution so school levies that involve property taxes can pass with a simple majority (at least 50 percent) instead of the "supermajority" requirement?

VOTER 1 VOTER 2

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|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. Yes |
| <input type="radio"/> | <input type="radio"/> . b. Yes, but only if the levy election is held in November when voter turnout is greatest |
| <input type="radio"/> | <input type="radio"/> . c. No |

7. Because of the high cost of living in the greater Seattle area, many school districts say they have a hard time recruiting and retaining teachers. Do you favor having teachers receive an extra housing allowance if they live in areas where housing costs are higher than average?

VOTER 1 VOTER 2

- | | |
|-----------------------|--------------------------------|
| <input type="radio"/> | <input type="radio"/> . a. Yes |
| <input type="radio"/> | <input type="radio"/> . b. No |

8. Do you agree or disagree with the statement, "Students need to meet challenging graduation standards more than ever before because of challenges in the workplace and in higher education"?

VOTER 1 VOTER 2

- | | |
|-----------------------|-------------------------------------|
| <input type="radio"/> | <input type="radio"/> . a. Agree |
| <input type="radio"/> | <input type="radio"/> . b. Disagree |

9. What is your view on how much students learn in school?

VOTER 1 VOTER 2

- | | |
|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. Students are expected to learn too much in school |
| <input type="radio"/> | <input type="radio"/> . b. Students are learning the right amount in school |
| <input type="radio"/> | <input type="radio"/> . c. Students aren't learning enough |

10. The cost of tuition at the UW and WSU is far below those of peer universities in other states. Administrators are requesting tuition increases to help meet the rapidly increasing costs of providing a quality college education. Which of the following best matches your opinion on this issue?

VOTER 1 VOTER 2

- | | |
|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. Students should pay tuition at a level that reflects the cost of providing their education |
| <input type="radio"/> | <input type="radio"/> . b. Tuition at the UW and WSU should correlate to that of peer universities, but additional student financial aid should also be provided |
| <input type="radio"/> | <input type="radio"/> . c. Raising tuition rates is too much of a burden on students and their parents |

TRANSPORTATION

11. The Department of Transportation is conducting a pilot project allowing the HOV lanes on I-90 (east of Island Crest Way on Mercer Island), I-405, State Route 167 and State Route 520 (east of Bellevue Way) to be open to all vehicles every day between 7 p.m. and 5 a.m. What is your view on opening the HOV lanes to all vehicles?

VOTER 1 VOTER 2

- | | |
|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. HOV lanes involved in the pilot project should be permanently open to all vehicles at these times |
| <input type="radio"/> | <input type="radio"/> . b. All HOV lanes in the Puget Sound region, including those on I-5, should be open to all vehicles between 7 p.m. and 5 a.m. |
| <input type="radio"/> | <input type="radio"/> . c. All HOV lanes should be restricted at all hours to only buses, vanpools and vehicles with at least two occupants |

12. A 2002 state law, the Regional Transportation Investment District law or "RTID," authorized a ballot measure to fund local highway projects, including expanding I-405 and replacing the Evergreen Point Floating Bridge. Should this law remain focused on highway improvement and replacement projects or should it be expanded to help fund Sound Transit light rail in Seattle?

VOTER 1 VOTER 2

- | | |
|-----------------------|--|
| <input type="radio"/> | <input type="radio"/> . a. Leave the RTID law alone |
| <input type="radio"/> | <input type="radio"/> . b. Open up the RTID law to fund light rail |

HEALTH CARE

13. What should be the government's role in health care?

VOTER 1 VOTER 2

- | | |
|-----------------------|---|
| <input type="radio"/> | <input type="radio"/> . a. Government should provide health care to all citizens, regardless of income |
| <input type="radio"/> | <input type="radio"/> . b. Government should make it easier for businesses to provide health care for their employees |
| <input type="radio"/> | <input type="radio"/> . c. Government's role is to provide health care only for those in poverty who cannot afford their own coverage |
| <input type="radio"/> | <input type="radio"/> . d. Government has no role to play in health care |

Please write your comments here:

If you would like to receive legislative session updates via e-mail, please provide your name, phone number, e-mail address and street address here:

Name: _____

Phone: _____

E-mail: _____

Street Address: _____

☐

If you would like to receive a copy of the results of this survey, please mark this box:



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Legislative Town Hall Meetings



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Dave Reichert